

AMENDED IN ASSEMBLY MARCH 29, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 1154**

**Introduced by Assembly Member La Suer**

February 22, 2005

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An act to amend Section ~~48205~~ of, and to repeal Section ~~46010.1~~ of, ~~46010.1~~ of the Education Code, relating to school districts.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1154, as amended, La Suer. School districts: excused absences: parental ~~request~~ *consent*.

(1) Existing law authorizes a minor to obtain various medical, dental, mental health, and counseling services without the consent of his or her parent or guardian and requires the governing board of a school district to notify pupils and the parents or guardians of those pupils that school authorities may excuse a pupil from school to obtain confidential medical services without that consent. Existing law authorizes a school district to include that notice with any other notice made to a parent or guardian of a pupil pursuant to existing law.

This bill would delete that notice requirement. *The bill would prohibit school authorities from excusing any pupil from the school for any reason without the consent of the pupil's parent or guardian. The implementation of this prohibition would impose a state-mandated local program.*

(2) ~~Existing law requires a school district to excuse a pupil from school if the absence is for the purpose of having medical, dental, optometrical, or chiropractic services rendered.~~

~~This bill, instead, would require a school district to excuse a pupil from school when the absence is for the purpose of having medical, dental, optometrical, or chiropractic services rendered, upon the~~

~~written request of the parent or guardian of the pupil. To the extent that this bill would impose additional duties on a school district, the bill would create a state-mandated local program.~~

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 46010.1 of the Education Code is~~  
2     ~~amended to read:~~

3     ~~46010.1. Commencing in the fall of the 1986-87 academic~~  
4     ~~year, the governing board of each school district shall, each~~  
5     ~~academic year, notify pupils in grades 7 to 12, inclusive, and the~~  
6     ~~parents or guardians of all pupils enrolled in the district, that~~  
7     ~~school authorities may shall not excuse any pupil from the~~  
8     ~~school for the purpose of obtaining confidential medical services~~  
9     ~~any reason without the consent of the pupil's parent or guardian.~~

10    ~~The notice required pursuant to this section may be included~~  
11    ~~with any other notice given pursuant to this code.~~

12    ~~SECTION 1. Section 46010.1 of the Education Code is~~  
13    ~~repealed.~~

14    ~~SEC. 2. Section 48205 of the Education Code is amended to~~  
15    ~~read:~~

16    ~~48205. (a) Notwithstanding Section 48200, a pupil shall be~~  
17    ~~excused from school when the absence is:~~

18    ~~(1) Due to his or her illness.~~

19    ~~(2) Due to quarantine under the direction of a county or city~~  
20    ~~health officer.~~

21    ~~(3) For the purpose of having medical, dental, optometrical, or~~  
22    ~~chiropractic services rendered, upon the written request of the~~  
23    ~~parent or guardian of the pupil pursuant to uniform standards~~  
24    ~~established by the governing board.~~

1     ~~(4) For the purpose of attending the funeral services of a~~  
2     ~~member of his or her immediate family, if the absence is not~~  
3     ~~more than one day if the service is conducted in California and~~  
4     ~~not more than three days if the service is conducted outside~~  
5     ~~California.~~

6     ~~(5) For the purpose of jury duty in the manner provided for by~~  
7     ~~law.~~

8     ~~(6) Due to the illness or medical appointment during school~~  
9     ~~hours of a child of whom the pupil is the custodial parent.~~

10    ~~(7) For justifiable personal reasons, including an appearance in~~  
11    ~~court, attendance at a funeral service, observance of a holiday or~~  
12    ~~ceremony of his or her religion, attendance at religious retreats,~~  
13    ~~or attendance at an employment conference, upon the written~~  
14    ~~request of the parent or guardian of the pupil and approval of the~~  
15    ~~principal or a designated representative pursuant to uniform~~  
16    ~~standards established by the governing board.~~

17    ~~(8) For the purpose of serving as a member of a precinct board~~  
18    ~~for an election pursuant to Section 12302 of the Elections Code.~~

19    ~~(b) A pupil absent from school under this section is allowed to~~  
20    ~~complete all assignments and tests missed during the absence that~~  
21    ~~can be reasonably provided and, upon satisfactory completion~~  
22    ~~within a reasonable period of time, shall be given full credit~~  
23    ~~therefor. The teacher of a class from which a pupil is absent shall~~  
24    ~~determine the tests and assignments shall be reasonably~~  
25    ~~equivalent to, but not necessarily identical to, the tests and~~  
26    ~~assignments that the pupil missed during the absence.~~

27    ~~(c) For purposes of this section, attendance at religious retreats~~  
28    ~~shall not exceed four hours per semester.~~

29    ~~(d) Absences pursuant to this section are deemed to be~~  
30    ~~absences in computing average daily attendance and shall not~~  
31    ~~generate state apportionment payments.~~

32    ~~(e) "Immediate family," as used in this section, has the same~~  
33    ~~meaning as that set forth in Section 45194, except that references~~  
34    ~~therein to "employee" shall be deemed to be references to~~  
35    ~~"pupil."~~

36    ~~SEC. 3.~~

37    ~~SEC. 2.~~ If the Commission on State Mandates determines that  
38    this act contains costs mandated by the state, reimbursement to  
39    local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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